

help young people recognize the value of their accomplishments. In addition to receiving this award, each student was asked to name the teacher who most influenced them during their high school career. These teachers are named as a National Distinguished Teacher and are invited to participate in the National Recognition Week.

These students have worked hard to achieve excellence and this award honors their hard work and perseverance. These students are remarkable because they have achieved not only academic excellence, but are also leaders in their schools and dedicated to community service. Each student has given back to the community that nurtured them. I am proud to recognize these four outstanding young people as New Hampshire's finest and congratulate them on the receipt of the White House Presidential Scholars Award.●

HENRY PESTKA

● Mr. LEVIN. Mr. President, I rise today to honor a man who has overcome great adversity to become a pillar of his community, Henry Pestka of Grand Rapids, MI.

Henry Pestka was born in Poland on July 29, 1922, the son of Saul and Marie Pestka. Saul Pestka was a builder and developer who taught his son his craft. After the Nazi occupation of Poland, Henry was interned in a number of concentration camps, including the notorious Auschwitz Death Camp.

In 1944, Pestka and two other prisoners escaped during a forced death march, and were found by members of the Free French Army. Henry joined the Polish Battalion of the Free French Army. He has the unique distinction of being not only one of the few survivors of Auschwitz Death Camp, but also a decorated combat veteran of the Allied cause in the Second World War. Tragically, both his parents and siblings perished. Henry was the only survivor.

In 1946, at the urging of his only living relatives, Henry immigrated to the United States and settled in Grand Rapids, MI. When Henry arrived, he could not speak English. He enrolled in night classes at Union High School and was given employment by a friend of his father's from Poland. In short, Henry came to the United States without money, with a very limited family, and unable to speak English.

In December 1948, Henry married Beatrice Bergman. Prior to the marriage, Henry had started working at Bergman Auto Supplies, selling auto parts and installing seat covers. In the late 1950's, Henry and his partner, Herman Bergman, began purchasing and developing property using the lessons gleaned from his father as a boy in Poland. For the past 40 years, Henry has developed shopping centers, office buildings, restaurants, apartment complexes, and industrial buildings. He has worked with major companies, both in the Grand Rapids area and across the United States.

Henry's proudest achievement was his tenure as building chairman for Congregation Ahavas Israel. He devoted a year of his life to this project and served without fee. Ultimately, in 1971, the beautiful structure was completed. At the time, Henry was honored by the Grand Rapids mayor, Bob Boelens, and by the entire congregation. In the foyer of the synagogue is an affecting mural depicting the 6 million innocent victims of Nazi genocide. In his own way, Henry has contributed not only to the memory of those who perished, but also built an institution to serve future generations including his own grandchildren.

Henry's philanthropy is legendary, particularly toward those institutions fighting bigotry or helping the sick and disabled. Among the organizations which he has consistently supported are the Anti-Defamation League, the Southern Poverty Law Center, the U.S. Holocaust Museum, the American Cancer Society, the American Heart Association, the Arthritis Foundation, St. Jude's Children's Hospital, and the Salvation Army. On a local level, Henry has supported Hope Network, Project Rehab, and many, many others.

His life has been a testament to overcoming horrific adversity and prevailing. He has built a uniquely American life, for which he can be forever proud. I know that my Senate colleague will join me in honoring Henry Pestka.●

CALIFORNIA CITIES FIGHT JUNK GUNS

Mrs. BOXER. Mr. President, earlier this year, I introduced legislation to prohibit the sale and manufacture of Junk Guns, or as they are also called, Saturday Night Specials. The importation of these cheap, easily concealable, and unsafe weapons has been prohibited since 1968, but their domestic production continues to soar.

In 1995, eight of the ten firearms most frequently traced at crime scenes were junk guns. These guns are the criminals' choice, and we must act now to get them out of our schools and our communities. Nationwide, gun violence is now the second leading cause of death of among children. In California, gun violence is number one. For the sake of our children, we must pass the Junk Gun Violence Protection Act.

My bill has received strong support from California's law enforcement leaders. The California Police Chiefs Association has endorsed my bill along with more than two dozen individual police chiefs and sheriffs representing some of California's largest cities and counties.

Today, I want to report on an extraordinary event that occurred last week in Oakland. On July 8, the mayors of 15 cities in California's East Bay joined together and pledged to get junk guns off the streets of their communities. These mayors said that they were frustrated by the 104th Congress' unwillingness to enact the common

sense reforms that my bill would make. Although they acknowledge that Federal legislation would be more effective than local ordinances, they have decided not to wait until Washington gets the message that these guns must be taken off our streets.

The cities of West Hollywood, San Francisco, Oakland, and Alameda have already passed ordinances to ban the sales of junk guns. More than a dozen municipalities in Alameda and Contra Costa counties are expected to follow soon. When junk guns are banned in these East Bay communities, it will create the largest junk gun-free zone in the country.

The courageous actions taken by these East Bay mayors provides real momentum to the movement to ban junk guns nationwide. I commend these communities for their leadership, and once again, I urge my colleagues to support S. 1654, the Junk Gun Violence Protection Act.

I ask that the following articles be printed in the RECORD.

The articles follow:

[From the Oakland Tribune, July 18, 1996]

ALAMEDA JOINS EAST BAY CITIES IN SHOOTING DOWN JUNK GUNS

(By Kathleen Kirkwood)

ALAMEDA.—The City Council has joined other East Bay cities in approving an ordinance banning the sale of junk guns; the so-called Saturday night specials.

The ordinance is patterned after a similar law in West Hollywood, now facing a court challenge on the grounds it is preempted by state regulations.

Several gun owners appealed to the Alameda council Tuesday to reject the law, saying it was a sham and couldn't be enforced because of overriding state law. Even if it were imposed, it couldn't stem the tide of gun-related crimes anyway, Herb Leong of San Francisco said.

"I don't believe this is a law that's worth your effort," Leong said. "What we need to do is change people. We can't change what they do by taking away a tool."

Local gun dealer James Figone said he doesn't sell junk guns, which are usually cheap and unreliable. But he said the city would be infringing on constitutional rights to bear arms.

"The whole point of these laws is to take guns out of the public's hands," Figone said.

Figone and others also criticized the ordinance's lack of a specific list of which guns would be targeted.

Instead, it states that the police chief will issue a list of firearms, at a future date, that meets the description of guns to be banned.

Generally, they're defined as cheap, poorly-manufactured, short-barreled handguns, Police Chief Barry Matthews said.

Matthews passed around five junk guns to council members that had been confiscated by Alameda police, calling them "garbage" weapons and "messengers of death."

He said it was hard to tell what effect the junk gun ban would have if imposed in Alameda.

"There will be a difference—to what degree I can't say," Matthews said.

In 1993, he said, junk handguns accounted for 8 out of 10 firearms most frequently confiscated by police in California. An estimated 90 percent of such guns available in the United States are manufactured in California. Import of such guns into the United States is already banned.

The mayors and police chiefs of 21 cities in the East Bay are backing the ordinance, hoping to send a signal to legislators.

"Maybe it won't stop smuggling or crime," Mayor Ralph Appezatto said. "Symbolic? Maybe, maybe not. But we've got to try."

Alameda was among seven cities along the I-880 corridor to approve or at least study the junk gun ordinance ban in the first reading of the law this week.

Oakland and Berkeley have given the ban approval on a second reading, which is required for final passage.

REGION TAKES THE LEAD TO CORRAL 'JUNK GUNS'

The new push by Bay Area civic leader's to take "junk guns" out of circulation probably won't take the weapons off the streets altogether. But it is likely to have some success. And it stands as a powerful statement by those who lead our local governments: We've had enough, and we're going to work together, as a region, to solve this problem.

"We are standing together, and sending a message that no matter where you live, in what city or county, violence is there and we need to do something about it," said Berkeley Mayor Shidey Dean, chairwoman of the East Bay Public Safety Corridor Partnership.

The partnership, the largest regional approach to fighting junk guns in the nation, encompasses Fremont, Newark, Union City, Hayward, San Leandro, Alameda, Berkeley, Oakland, Piedmont, Albany, Emeryville, El Cerrito, Richmond, San Pablo and Pinole. Dean wants other cities to join.

San Francisco and Alameda County have already outlawed the weapons, and San Jose is considering a ban.

The regional approach is being taken up by Bay Area politicians who have given up on the federal and state governments. "Politicians on the state and federal level, quite frankly, are afraid of the gun lobby," said Oakland Mayor Elihu Harris.

Junk guns, also known as Saturday night specials, are, generally speaking, poorly constructed and therefore less safe. They also are less expensive to buy. More technical definitions will be refined by those who write the local ordinances banning them. Suffice it to say, junk guns are easy to get and dangerous to use. They are used by gangs and considered status symbols.

BAY AREA HOMICIDES

People are dropping like flies in the Bay Area because of the availability of guns. Between 1991 and 1993, six out of every eight homicides in Alameda County involved a firearm, according to the Alameda County Injury Prevention program. Homicide rates were highest for those between 20 and 24.

If this push is going to succeed, other cities are going to have to climb on board. Several are considering gun bans. We urge them to follow through.

At least one East Bay civic leader, Dublin Mayor Guy Houston, wants no part of the regional gun ban. Using rhetoric that sounds as though it were written for him by the National Rifle Association, Houston eschews a ban on murderous weapons and says tougher penalties are the solution to the gun problem. The "Three Strikes, You're Out" law is taking care of the problem, Houston says.

Tougher penalties are fine, but by themselves they have not done the job. More is needed. At least Houston didn't utter the old NRA line, "Guns don't kill people; people kill people." That's true; people do kill people—with guns. Fewer guns, fewer deaths. ●

AUTHORIZING SENATE LEGAL COUNSEL REPRESENTATION

Mr. DODD. Mr. President, on behalf of the Democratic leader, I send to the

desk a resolution to authorize representation by the Senate counsel, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 281) to authorize representation by Senate legal counsel.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DASCHLE. Mr. President, the plaintiff in Lockhart versus United States brought a civil action in May 1996 in Federal District Court in the Western District of Washington. The suit is against the United States and a number of legislative, executive, and judicial branch officials, including Senator LOTT and then-Senator Dole, as well as various members of President Clinton's Cabinet. The plaintiff seeks damages for a variety of injuries that he alleges the defendants inflicted upon him. The complaint's only connection with the majority leader and former Senator Dole consists of vague references to statutes that Congress has passed or repealed.

The complaint fails to establish any legitimate grievance with Senator LOTT or Senator Dole. This resolution authorizes the Senate Legal Counsel to represent these Members in this action.

Mr. DODD. I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 281) was considered and agreed to as follows:

S. RES. 281

Whereas, in the case of *James Lockhart v. United States, et al.*, No. C95-1858Z, pending in the United States District Court for the Western District of Washington, the plaintiff has named Senator Trent Lott and former Senator Robert J. Dole as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a) (1) (1994), the Senate may direct its counsel to defend its Members in civil actions relating to their official responsibilities; Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Lott and former Senator Dole in the case of *James Lockhart v. United States, et al.*

CHILD ABUSE PREVENTION AND TREATMENT ACT AMENDMENTS OF 1995

Mr. ROTH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 149, S. 919.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 919) to modify and reauthorize the Child Abuse Prevention and Treatment Act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Human Resources, with an amendment to strike out all after the enacting clause and inserting in lieu therefore the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Child Abuse Prevention and Treatment Act Amendments of 1995".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GENERAL PROGRAM

Sec. 101. Reference.

Sec. 102. Findings.

Sec. 103. Office of Child Abuse and Neglect.

Sec. 104. Advisory Board on Child Abuse and Neglect.

Sec. 105. Repeal of Interagency Task Force.

Sec. 106. National Clearinghouse for Information Relating to Child Abuse.

Sec. 107. Research and assistance activities.

Sec. 108. Grants for demonstration programs.

Sec. 109. State grants for prevention and treatment programs.

Sec. 110. Repeal.

Sec. 111. Miscellaneous requirements.

Sec. 112. Definitions.

Sec. 113. Authorization of appropriations.

Sec. 114. Rule of construction.

Sec. 115. Technical amendment.

TITLE II—COMMUNITY-BASED CHILD ABUSE AND NEGLECT PREVENTION GRANTS

Sec. 201. Establishment of program.

Sec. 202. Repeals.

TITLE III—FAMILY VIOLENCE PREVENTION AND SERVICES

Sec. 301. Reference.

Sec. 302. State demonstration grants.

Sec. 303. Allotments.

Sec. 304. Authorization of appropriations.

TITLE IV—ADOPTION OPPORTUNITIES

Sec. 401. Reference.

Sec. 402. Findings and purpose.

Sec. 403. Information and services.

Sec. 404. Authorization of appropriations.

TITLE V—ABANDONED INFANTS ASSISTANCE ACT OF 1986

Sec. 501. Reauthorization.

TITLE VI—REAUTHORIZATION OF VARIOUS PROGRAMS

Sec. 601. Missing Children's Assistance Act.

Sec. 602. Victims of Child Abuse Act of 1990.

TITLE I—GENERAL PROGRAM

SEC. 101. REFERENCE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.).

SEC. 102. FINDINGS.

Section 2 (42 U.S.C. 5101 note) is amended—

(1) in paragraph (1), the read as follows:

"(1) each year, close to 1,000,000 American children are victims of abuse and neglect;"

(2) in paragraph (3)(C), by inserting "assessment," after "prevention,";

(3) in paragraph (4)—

(A) by striking "tens of"; and

(B) by striking "direct" and all that follows through the semicolon and inserting "tangible